

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>DOUGLAS PRESTON SMITH,</b>	:	
	:	
<b>Petitioner,</b>	:	<b>No. 1:21-cv-838</b>
	:	
<b>v.</b>	:	<b>(Judge Rambo)</b>
	:	
<b>DISTRICT ATTORNEY FOR</b>	:	
<b>CUMBERLAND COUNTY, <i>et al.</i>,</b>	:	

**Respondents**

**ORDER**

**AND NOW**, on this 10th day of June 2021, for the reasons set forth in the Memorandum accompanying this Order, **IT IS ORDERED THAT:**

1. Petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE** to Petitioner's right to file, within thirty (30) days of the date of this Order, an amended § 2254 petition that sets forth cognizable claims for habeas corpus relief;
2. The Clerk of Court is directed to provide Petitioner this Court's form for filing a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254; and
3. Petitioner is advised that if he fails to file an amended § 2254 petition as set forth above, the dismissal of his original § 2254 petition (Doc. No. 1) will be deemed to be with prejudice.

s/ Sylvia H. Rambo  
United States District Judge